



Express Mail Label No.: EV 901253938 US  
U.S. Application No 10/764,075  
Filed January 23, 2004  
Briese et al.  
DOCKET No. 19240-447.US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

U.S. SERIAL NO. : 10/764,075 Confirmation No.: 7998  
APPLICANT : BRIESE, THOMAS ET AL.  
FILED : JANUARY 23, 2004  
GROUP ART UNIT : 1648  
EXAMINER : MOSHER, MARY

TITLE : METHODS AND KITS FOR DETECTING SARS-  
ASSOCIATED CORONAVIRUS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. §1.131**

We, Thomas Briese, W. Ian Lipkin, Gustavo Palacios, and Omar Jabado, hereby declare as follows:

1. We are the named inventors in the above-identified application.
2. The invention was made in the United States.
3. The work described within this Declaration was performed by us, or on our behalf under our direction.
4. We declare that synthetic nucleic acids, primer sets, and methods as claimed within the subject application were conceived at least prior to April 12, 2003.
5. A copy of an e-mail from Dr. Briese to TIB Molbiol, LLC confirming the production of primers and primer sets of the invention prior to April 12, 2003 is attached at Tab A.
6. A copy of a laboratory notebook page showing a picture of an agarose gel that points to PCR products generated using primers of the invention is attached at Tab B. These are results of a PCR analysis using primers of the invention that allows for amplification and detection of SARS-associated nucleic acid in a sample.

7. Methods for using the synthetic nucleic acids (e.g., primers) in SEQ ID No: 43 (positions 28381 to 29727 as depicted in FIG.1), which spans the N-gene and the 3'-Non-coding region of the SARS corona virus, to determine the presence or absence of SARS-associated corona virus nucleic acid sequence in a sample obtained from a subject suspected of having SARS was conceived at least prior to April 12, 2003. The above-referenced application was filed following due diligence.

8. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed: \_\_\_\_\_

Thomas Briese

Dated: 8/20/06

Signed: \_\_\_\_\_

W. Ian Lipkin

Dated: 8/20/06

Signed: \_\_\_\_\_

Gustavo Palacios

Dated: 8/20/06

Signed: \_\_\_\_\_

Omar Jabado

Dated: 8/21/06



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Subject: Re: Confirmation # 000107916  
Date:  
From: Thomas Briese <thomas.briese@columbia.edu>  
To: <ethuroff@tib-molbiol.com>  
Conversation: Confirmation # 000107916

Tab A

> "Eduardo Thuroff" <ethuroff@tib-molbiol.com> wrote:  
>  
> Viel Erfolg. Ich trolle mich, bis morgen!  
>  
> .....  
> Eduardo Thuroff | ethuroff@tib-molbiol.com  
> TIB Molbiol, LLC | Ph. (732) 866 9910  
> PO Box 190 | Fx. (732) 866 9915  
> Adelphi, NJ 07710 | www.tib-molbiol.com  
>  
> The information contained therein and any attachments is confidential and  
> intended solely for the attention and use of the named addressee(s). It may  
> not be disclosed to any other person without the expressed authority of TIB  
> Molbiol, LLC, and/or the intended recipient. If you are not the intended  
> recipient, you must not disclose, copy, distribute or retain this message or  
> any part of it.  
>  
>  
> This message and any attachments contained therein have been screened by  
> Horton Anti-Virus 2002, last updated  
>  
> .....  
> -----Original Message-----  
> From: Thomas Briese (mailto:thomas.briese@columbia.edu)  
> Sent:  
> To: dna@tib-molbiol.com  
> Subject: Re: Confirmation # 000107916  
>  
> Auf gehts. -Thomas  
>  
> On "dna@tib-molbiol.com" <dna@tib-molbiol.com> wrote:  
>  
>> Center for Immunopathogenesis and  
>> Infectious Diseases -Columbia University  
>> 1861 Mailman School of Public Health  
>> Dr. Thomas Briese  
>> 722 West, 16th Street  
>> New York, NY 10032  
>>  
>> Confirmation # 000107916  
>> Shipping: FedEx  
>> PCF 285197  
>>  
>> -----  
>> Sequence ID: 183229  
>> 21-mer  
>> Name: TaqMan-set2-721F  
>>  
>> ATGACCACACAGgCgATgg  
>>  
>> Scale: 0.02  
>> Confection: 05 nmol  
>> Purification Method: GSF  
>> Price: 9.97 US\$  
>>  
>> -----  
>> Sequence ID: 183230  
>> 24-mer  
>> Name: TaqMan-set2-964R  
>>  
>> gCTCTCCCTAgCgTTATTCACtTg  
>>  
>> Scale: 0.02  
>> Confection: 05 nmol  
>> Purification Method: GSF  
>> Price: 9.97 US\$  
>>  
>> -----  
>> Sequence ID: 183231  
>> 21-mer  
>> Name: TaqMan-set1-726F  
>>  
>> CACAAggCgATgggCTATgT  
>>  
>> Scale: 0.02  
>> Confection: 05 nmol  
>> Purification Method: GSF  
>> Price: 9.97 US\$  
>>  
>> -----  
>> Sequence ID: 183232  
>> 21-mer  
>> Name: TaqMan-set1-964R  
>>  
>> gCTCTCCCTAgCgTTATTCACtTg  
>>  
>> Scale: 0.02  
>> Confection: 05 nmol

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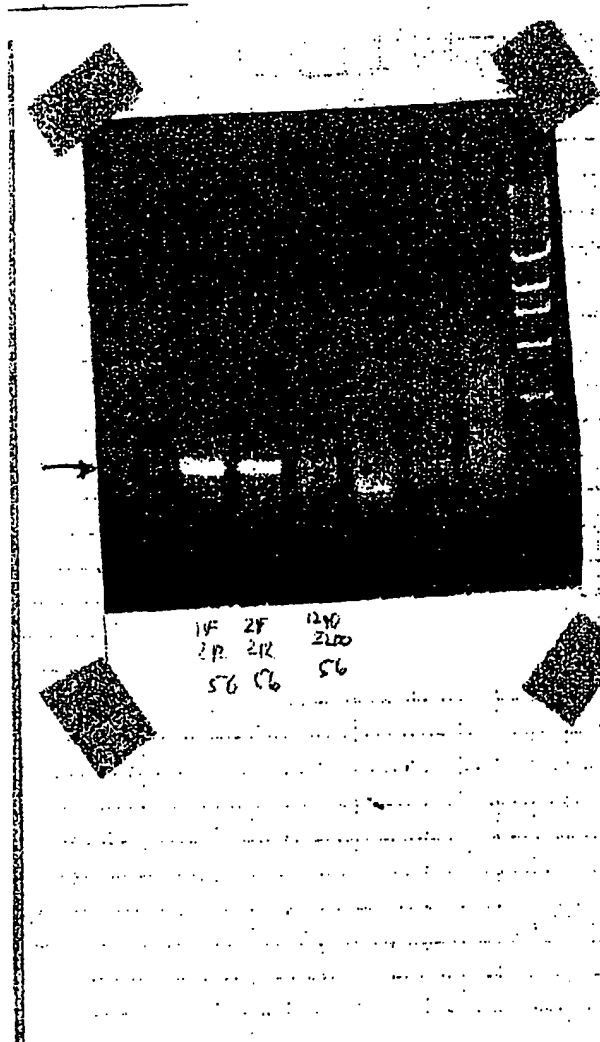
Tab A (continued)

```
>> Purification Method: QSP
>> Price: 9.97 US$
>> -----
>>
>> Sequence ID: 103233
>> 25-mar
>> Name: TagMan-set2-907M
>>
>> 6FAM-TCATCgagcCACgCggagTAC XTP
>>
>> Scale: 2.00
>> Confection: TagMan
>> Purification Method: HPLC 1,0 OD
>> Price: 215.00 US$
>> -----
>>
>> 1.00 Probe discount $ 25.00 = -25.00 US$
>> -----
>>
>> 1.00 Shipping & Handling = 10.00 US$
>> -----
>>
>> TOTAL: 253.88 US$
>>
>> TIB Molbiol
>> Eduardo Thuroff
>>
>>
>>
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Tab B



Thomas working ~~RT-PCR~~  
real time SARS primers  
cut out S1F + S2R  
and S2F + S2R  
to ligate to Topo + Seal  
for sequencing

next page - gels of  
cloning PCR - with PE Tag!